

PLEA MINUTE SHEET
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO (AT ALBUQUERQUE)

CR 05-1849 JH**UNITED STATES vs. MISTRZAK**

Before The Honorable Robert H. Scott, United States Magistrate Judge

Hearing Date:	February 21, 2007	Time In and Out:	9:56 AM - 10:04 AM (8 min)		
Clerk:	Mary Archuleta	FTR Information:	FTR/HONDO		
Defendant:	RAFAL MISTRZAK	Defendant's Counsel:	Rudolph Chavez		
AUSA:	Norman Cairns	Interpreter:	none		Sworn
X	Defendant Sworn			First Appearance	
X	Consent to proceed before a magistrate judge and original plea agreement reviewed and executed by Deft.				
X	Deft acknowledges receipt of: (Indictment or Information)				
X	If Deft proceeding by way of information, Deft acknowledges right to an indictment and waives that right.				
X	Terms and conditions of proposed plea agreement explained.				
X	Factual predicate to sustain the plea provided.				
X	Deft questioned re Deft's age, education, physical/mental condition, and whether under the influence of alcohol, drugs, or any medication. Deft advised of charge(s), penalties and possible consequences of the plea.				
X	Deft advised of constitutional rights, loss of rights, and maximum possible penalties (including imprisonment, fine, supervised release, probation, SPA, restitution, and any forfeitures).				
X	Deft questioned re time to consult with attorney and if satisfied with his or her representation.				
X	Court finds Deft fully understands charge(s), terms of plea, and the consequences of entry into plea agreement.				
X	Deft pleads GUILTY to: COUNT 3 of SUPERSEDING INDICTMENT				
X	Allocation by Deft on elements of charge(s).				
X	Court finds plea freely, voluntarily, and intelligently made; plea of guilty accepted.				
X	Deft adjudged guilty.				
X	Acceptance of plea agreement deferred until final disposition hearing by district judge.				
X	Sentencing Date: to be notified				
	Defendant to Remain in Custody				
X	Present conditions of release continued		Conditions changed to:		
	Penalty for failure to appear explained				
X	Presentence Report Ordered		Expedited (Type III)		
	Other Matters:				